

02/14/01  
10853 U.S. PTO

02-15-01

A

PTO/SB/05 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	YU 109 CON
First Inventor	Peter M. Glazer
Title	CHEMICALLY MODIFIED OLIGONUCLEOTIDE FOR SITE-DIRECTED MUTAGENESIS
Express Mail Label No.	EL 709 418 853 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 40]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 10]
- Oath or Declaration [Total Pages 2]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 17 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☒ paper
  - ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☒ Other: Check for \$355.00

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

<input checked="" type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)	of prior application No. 08 / 083,088
Prior application information.		Examiner <u>Campbell, E.</u>	Group / Art Unit <u>1807</u>

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been incorporated by reference into the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	23579	or <input type="checkbox"/> Correspondence address below
---	-------	--

Name	Patrea L. Pabst Amall Golden & Gregory, LLP				
Address	2800 One Atlantic Center 1201 West Peachtree Street				
City	Atlanta	State	GA	Zip Code	30309-3450
Country	United States	Telephone	(404) 873-8794	Fax	(404) 873-8795

Name (Print/Type)	Robert A. Hodges	Registration No. (Attorney/Agent)	41,074
Signature			Date February 14, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**FEE TRANSMITTAL  
for FY 2001**Patent fees are subject to annual revision.  
Exoress Mail Label No.: EL 709 418 853 US**TOTAL AMOUNT OF PAYMENT** (\$)**355.00****Complete if Known**

Application Number	Continuation of 08/083,088
Filing Date	February 14, 2001
First Named Inventor	Peter M. Glazer
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	YU 109 CON

**METHOD OF PAYMENT (check one)**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit Account Number **01-2507**

Deposit Account Name **Arnall Golden & Gregory, LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☒ Applicant claims small entity status See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	<b>355.00</b>
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

**SUBTOTAL (1)** (\$)**355.00****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
<b>19</b>	- 20 = <b>0</b>	X <b>0.00</b>	<b>=0.00</b>
Independent Claims <b>3</b>	- 3 = <b>0</b>	X <b>0.00</b>	<b>=0.00</b>
Multiple Dependent			<b>=0.00</b>

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$)**0.00****FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)**0.00****SUBMITTED BY**Name (Print/Type) **Robert A. Hodges**Registration No (Attorney/Agent) **41,074****Complete (if applicable)**Telephone **(404) 873-8796**Signature Date **February 14, 2001****WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Peter M. Glazer and Pamela A. Havre

Serial No: Continuation of 08/083,088

Express Mail Label  
No. EL 709 418 853 US

Filed: February 14, 2001

Date of Deposit: February 14, 2001

For: CHEMICALLY MODIFIED OLIGONUCLEOTIDE FOR SITE-DIRECTED  
MUTAGENESIS

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUATION APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of copending prior application U.S.S.N. 08/083,088 filed June 25, 1993, entitled "*Chemically Modified Oligonucleotide for Site-Directed Mutagenesis*", by Peter M. Glazer and Pamela M. Havre. The application includes 1 page of abstract, 36 pages of specification, 3 pages of claims, 10 sheets of informal drawings, 11 pages of sequence listing from prior application U.S.S.N. 08/083,088, and the executed Declaration for Patent Application from prior application U.S.S.N. 08/083,088.

Continuation of U.S.S.N. 08/083,088  
Filed: February 14, 2001  
**REQUEST FOR FILING A CONTINUATION**  
**APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No. EL 709 418 853 US  
Date of Deposit: February 14, 2001

Pursuant to 37 C.F.R. § 1.63(d), the copy of the executed Declaration included in the new application is a copy of the executed Declaration filed in parent application Serial No. 08/083,088, to which the new application claims benefit.

A Request for Approval of Drawing Changes and Preliminary Amendment, with copies of 10 sheets of informal drawings with the changes marked in red, and an Information Disclosure Statement are enclosed.

Applicants also enclose from prior application U.S.S.N 08/083,088 filed June 25, 1993, a copy of the executed Assignment from Peter J. Glazer and Pamela A. Havre to Yale University, recorded August 27, 1993, at Reel 6846, Frame 0075.

This application contains nucleic acid and/or protein sequences as defined in 37 C.F.R. §§ 1.821-1.825. The sequence listing for the new application is identical to the sequence listing for the parent application Serial No. 08/083,088 filed June 25, 1993, by Peter M. Glazer and Pamela A. Havre. A sequence listing in computer readable form was submitted November 17, 1993, in Application Serial No. 08/083,088 filed June 25, 1993. No subsequent sequence listing was submitted.

Pursuant to 37 C.F.R. § 1.821(e), applicants hereby request that the computer readable form of the sequence listing submitted in application Serial No. 08/823,999 be used as the computer readable form of the sequence listing for the new application.

I declare that the material on the diskette is identical to the paper copy of the Sequence Listing present in the above-identified parent application, and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

This application is entitled to small entity status pursuant to 37 C.F.R. § 1.27.

Submitted with the new application are a (1) check in the amount of \$355.00 to cover the filing fee for a small entity; (2) Fee Transmittal (PTO/SB/17); and (3) Utility Patent Application Transmittal (PTO/SB/45). It is believed that \$355.00 is the proper filing fee for a small entity, as the application includes 3 independent claims and a total of 19 claims after entry of the enclosed Preliminary Amendment.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Order Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

This application is being filed on February 14, 2001, by mailing the application to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

Continuation of U.S.S.N. 08/083,088  
Filed: February 14, 2001  
**REQUEST FOR FILING A CONTINUATION**  
**APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No. EL 709 418 853 US  
Date of Deposit: February 14, 2001

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.  
ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450

Respectfully submitted,



---

Robert A. Hodges  
Reg. No. 41,074

Date: February 14, 2001

ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450  
(404) 873-8796  
(404) 873-8797 (fax)

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this INFORMATION DISCLOSURE STATEMENT and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, February 14, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number EL 709 418 853 US, addressed to BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Teresa R. Spratt

Date: February 14, 2001